

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MATTHEW ANTHONY GATTUSO,

Plaintiff,

-against-

BOOZ ALLEN HAMILTON; JASON  
DUSTERWALD,

Defendants.

1:24-CV-2880 (VSB)

ORDER DIRECTING SIGNATURE

VERNON S. BRODERICK, United States District Judge:

Plaintiff brings this action *pro se*. The complaint that Plaintiff submitted is unsigned. Rule 11(a) of the Federal Rules of Civil Procedure (“Rule 11(a)”) provides that “[e]very pleading, written motion, and other paper must be signed . . . by a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(a); *see Becker v. Montgomery*, 532 U.S. 757, 764 (2001) (interpreting Rule 11(a) to require, “as it did in John Hancock’s day, a name handwritten (or a mark handplaced)”).<sup>1</sup>

Plaintiff is directed to sign and submit the attached signature page within 30 days of the date of this order. If Plaintiff returns the signed document by mail or in person, it must have a handwritten signature that complies with Rule 11(a). If Plaintiff submits the document by email, to [ProSe@nysd.uscourts.gov](mailto:ProSe@nysd.uscourts.gov), Plaintiff may use instead an electronic signature or a typed name

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<sup>1</sup> Although a “typed name” does not satisfy Rule 11(a)’s signature requirement, the Supreme Court of the United States affirmed the right of federal courts, “by local rule[,] [to] permit papers to be filed, signed, or verified by electronic means.” *Becker*, 532 U.S. at 763-64 (internal quotation marks and citation omitted). Under this court’s local rules, where a document is filed in accordance with the SDNY Electronic Case Filing (“ECF”) Rules & Instructions, the filing complies with the local rules. *See* Local Civil Rule 5.2(a). The SDNY ECF Rules & Instructions, at Rule 1.1 and Appendix C, authorize self-represented parties to sign documents submitted to the court by email using an electronic signature or a typed name with an “/s.”

with an “/s” (for example, “/s/ John Doe”) on the signature line. The signed document must be labeled with the docket number 1:24-CV-2880 (VSB).<sup>2</sup>

If Plaintiff complies with this order, this action shall proceed. If Plaintiff fails to comply with this order within the time allowed, the Court will dismiss this action without prejudice.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

Dated: 4/25/2024  
New York, New York



VERNON S. BRODERICK  
United States District Judge

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<sup>2</sup> For registered ECF filers, “[t]he user log-in and password required to submit documents to the ECF system serve as the Filing User’s signature on all electronic documents filed with the Court.” Rule 8.1 of the SDNY ECF Rules & Instructions. Self-represented litigants must request permission to register for ECF by filing a [Motion for Permission for Electronic Case Filing](#).

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 04/16/2024

Signature of Plaintiff

Printed Name of Plaintiff Matthew Anthony Gattuso

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address